



Order Filed on February 2, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

MCC4795  
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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

IN RE:

Chapter 13

**Darryl B. Monticello**

Case No.: **16-25565(KCF)**

Hearing Date:

**ORDER AUTHORIZING LOAN MODIFICATION  
ON DEBTOR'S REAL PROPERTY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby **ORDERED**.

**DATED: February 2, 2018**

  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

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Debtor(s): **Darryl B. Monticello**

Case No.: **16-25565 (KCF)**

Caption of Order: **Order Authorizing Loan Modification of Debtor's Real Property**

THIS MATTER having come before the Court on the debtor's Application to Approve the Loan Modification, and the Court having considered the debtor's application and any opposition thereto, and good and sufficient cause appearing there from for the entry of this order, it is hereby

**ORDERED** that the debtor(s) be and hereby are allowed to modify the mortgage on real property located at 419 Arbutus Drive, Point Pleasant, New Jersey pursuant to the terms outlined in the debtor's certification in support of the application; and it is further

**ORDERED** that the Debtor is granted approval to enter into a permanent loan modification.

**ORDERED** that the debtor's shall continue to make payments under the Plan as proposed or confirmed

**ORDERED** that communications and/or negotiations between debtor and mortgagee/mortgage servicer regarding loss mitigation or loan modification shall not be deemed a violation of the automatic stay

**ORDERED** that the Chapter 13 Trustee shall suspend disbursements to secured creditor pending completion of loan modification.

**ORDERED** that in the event the modification is not consummated, the Secured Creditor shall notify the Trustee and the Debtor's attorney of same.

**ORDERED** that if post-petition arrears are capitalized into the loan modification, secured creditor shall file an amended post-petition order within thirty (30) days from the date the loan modification is finalized. Upon receipt of an amended post-petition order, the Trustee may disburse the funds being reserved pursuant to this order to other creditors in accordance with the provisions of the confirmed Plan; And

**ORDERED** that the Debtors shall file an amended Schedule J and Modified Plan within twenty (20) days of this Order.